

Serial No.: 09/747,920  
Amendment Dated: January 19, 2005  
Reply to Office Action of December 7, 2004

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the above-captioned patent application:

**Listing of Claims:**

1. (Currently Amended) A refrigerated merchandiser system comprising:
  - an insulated cabinet defining a product display area and having a compartment separate from product display area;
  - an air circulation circuit connecting said product display area and said compartment in air flow communication;
  - an evaporator disposed within said compartment;
  - at least one of air circulating fan disposed within said compartment in laterally spaced relationship upstream of the evaporator with respect to air flow;
  - a flow baffle having a plurality of flow apertures extending therethrough, said flow baffle disposed in and generally transversely across the air circulation circuit intermediate the evaporator and the at least one fan to provide a generally more uniform air flow entering the evaporator.
2. (Original) A refrigerated merchandiser system as recited in claim 1 wherein the evaporator comprises a fin and tube heat exchanger having a fin density in the range of 6 fins per inch to 15 fins per inch.
3. (Previously Presented) A refrigerated merchandiser system as recited in claim 1 wherein said flow baffle comprises at least one perforated member.
4. (Original) A refrigerated merchandiser system as recited in claim 1 wherein said flow baffle comprises at least one screen mesh member.
5. (Previously Presented) A refrigerated merchandiser system as recited in claim 1 wherein said flow baffle comprises at least one slotted member.

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6. (Original) A refrigerated merchandiser system as recited in claim 1 wherein said flow baffle comprises at least one member having a honeycomb structure of flow passages therethrough.

7. (Currently Amended) A refrigerated merchandiser system as recited in claim 1 wherein comprising:

an insulated cabinet defining a product display area and having a compartment separate from product display area;

an air circulation circuit connecting said product display area and said compartment in air flow communication;

an evaporator disposed within said compartment;

at least one air circulating fan disposed within said compartment upstream of the evaporator with respect to air flow;

a flow baffle having a plurality of flow apertures extending therethrough, said flow baffle disposed in the air circulation circuit intermediate the evaporator and the at least one fan to provide a generally more uniform air flow entering the evaporator.

said plurality of flow apertures extending through said flow baffle have having a collective flow area comprising from about 15% to about 40% of the nominal flow area of the air circulation circuit between said fans and said evaporator.